

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB PKI 20-02 Education
SPONSOR(S): PreK-12 Innovation Subcommittee
TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: PreK-12 Innovation Subcommittee		D'Souza	Brink

SUMMARY ANALYSIS

Florida's statewide accountability system includes, among other things, rigorous academic standards; statewide, standardized assessments; school and district grades; and school improvement requirements.

The bill authorizes the Commissioner of Education (commissioner) to discontinue the Geometry end-of-course assessment upon approval from the U.S. Secretary of Education for a waiver from the federal high school math testing requirements.

The bill requires each school district to choose either the SAT or ACT for districtwide administration to grade 11 students beginning in the 2020-2021 school year. The bill revises the school grades calculation to include the percentage of eligible students passing the English language arts portions, and the percentage of eligible students passing the math portions of the SAT and ACT beginning with the 2022-2023 school year.

The bill requires students in the U.S. Government course to take the civic literacy assessment beginning in the 2020-2021 school year. The bill requires postsecondary students to demonstrate civic literacy by successfully completing a civic literacy course and achieving a passing score on the civic literacy assessment.

The bill revises the school turnaround process for schools that earn a grade of "D" or "F." The bill authorizes a school district to request a new turnaround option during the implementation of a turnaround option. The bill authorizes the State Board of Education (SBE) to revoke a turnaround plan if a school district fails to follow the terms and conditions of its approved plan.

The bill revises the Turnaround School Supplemental Services Allocation (TSSSA) by requiring school districts to submit its implementation plan to the commissioner by September 1 of each fiscal year for final approval by the Department of Education.

The bill requires the Florida Partnership for Minority and Underrepresented Student Achievement to provide information on resources and opportunities, and identify public and private partnerships to provide college advising services to further increase postsecondary access and success for students.

See Fiscal Comments.

The bill provides an effective date of July 1, 2020.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Every Student Succeeds Act

The *Every Student Succeeds Act* (ESSA)¹ is a federal law reauthorizing and substantially revising the *Elementary and Secondary Education Act of 1965* (ESEA). ESSA is the successor to the *No Child Left Behind Act of 2001* (NCLB).² Like its predecessors NCLB and ESEA, the goal of ESSA is to improve elementary and secondary education in public schools by conditioning the receipt of federal funds on the implementation of federal requirements. In order to receive Title I funds under ESSA, states must implement a statewide accountability system for K-12 public schools. ESSA also offers competitive and noncompetitive grant funds for teacher and school leader development, family engagement, student support, weighted per-pupil funding, and the development of innovative student progression systems and assessment formats.

ESSA requires each state receiving Title I funds to submit a plan that includes:

- challenging academic standards for reading or language arts (ELA) and math;³
- high quality assessments in ELA, math, and science;⁴
- long-term goals for all students and student subgroups⁵ in the state, including measurements of interim progress toward meeting the goals;⁶
- multiple indicators of student success and school quality,⁷ including:
 - academic achievement as measured by statewide assessments in ELA and math;
 - a 4-year graduation rate for high schools;
 - for elementary and middle schools, student growth or another academic indicator;
 - progress of English language learners⁸ (ELLs) toward English proficiency; and
 - an additional indicator of school quality or student success;
 - annual meaningful differentiation (i.e., levels of performance) based on the system's indicators;⁹ and
- identification of schools, based on annual meaningful differentiation, that require comprehensive support and improvement (CS&I) or targeted support and improvement (TS&I) for specific student subgroups.¹⁰

Florida's Statewide Accountability System

Florida's statewide accountability system comprises, among other things, the following:

- Rigorous academic standards that establish what knowledge and skills K-12 students need to learn.¹¹

¹ Pub. L. No. 114-95, 129 Stat. 1802 (Dec. 10, 2015); 20 U.S.C. s. 6301 *et seq.*

² Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

³ 20 U.S.C. s. 6311(b)(1).

⁴ 20 U.S.C. s. 6311(b)(2).

⁵ For purposes of statewide accountability systems, student subgroups include economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, and English learners. 20 U.S.C. s. 6311(c)(2).

⁶ 20 U.S.C. s. 6311(c)(4)(A).

⁷ 20 U.S.C. s. 6311(c)(4)(B).

⁸ An English learner is between 3 to 21 years old; is enrolled or preparing to enroll in an elementary or secondary school; was not born in the U.S. or has a native language other than English; and has difficulties in speaking, reading, writing, or understanding the English language such that the student cannot meet the state's academic standards, cannot achieve in a classroom with instruction in English, or does not have the opportunity to participate fully in society. *See* 20 U.S.C. s. 7801(20).

⁹ 20 U.S.C. s. 6311(c)(4)(C).

¹⁰ 20 U.S.C. s. 6311(c)(4)(D).

¹¹ Section 1003.41, F.S.; rule 6A-1.09401, F.A.C.

- Statewide, standardized assessments to measure student achievement of the standards in specified subject areas and grade levels.¹²
- School and district grades based on student achievement of the standards and other indicators of school and district quality as well as school improvement ratings based on student learning growth.¹³
- School recognition funds that award schools for improving or achieving high levels of performance.¹⁴
- School improvement requirements to help struggling schools incorporate best practices and, when needed, to fundamentally restructure schools that continue to fail.¹⁵

Florida's Academic Standards

Together, all of Florida's academic standards compose the Next Generation Sunshine State Standards (NGSSS), which establish the core content of the curricula to be taught and specify the core content knowledge and skills that K-12 public school students are expected to acquire in ELA, science, mathematics, social studies, visual and performing arts, physical education, health, and foreign languages.¹⁶ The State Board of Education (SBE) is responsible for adopting the NGSSS in rule based upon review and recommendations by the Commissioner of Education (commissioner) in consultation with Florida educators, school administrators, and state colleges and universities.¹⁷

However, on January 31, 2019, Governor DeSantis issued an executive order directing the commissioner to comprehensively review Florida's academic standards for kindergarten through grade 12 students by January 1, 2020 and provide recommended revisions to the governor.¹⁸ The recommendations provided to Governor DeSantis are known as Florida's Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards.¹⁹ The next step in the review process is for the B.E.S.T. Standards to be submitted to the SBE for approval.²⁰

Florida's Statewide, Standardized Assessments

Under ESSA, states must implement high quality statewide, standardized assessments for all students:²¹

- Annual ELA and math assessments for all students in grades 3 through 8.
- At least one ELA and one math assessment in high school.
- At least one science assessment during grades 3 through 5, 6 through 9, and 10 through 12.

Students in grade 8 who take a high school end-of-course (EOC) math assessment used in the accountability system may be exempted from the grade-level math assessment, but only if they will take a higher level math assessment in high school that is also used in the accountability system.²²

Each state's standardized assessments must also provide for the appropriate accommodations (i.e. interoperability with, and the ability to use assistive technology) necessary to measure the academic achievement of students with disabilities.²³

¹² Section 1008.22(3), F.S.

¹³ Section 1008.34, F.S. Alternative schools may receive a school improvement rating pursuant to s. 1008.341, F.S.; exceptional student education centers may receive a school improvement rating pursuant to s. 1008.3415, F.S.

¹⁴ Section 1008.36, F.S.

¹⁵ Section 1008.33, F.S.; Rule 6A-1.099811, F.A.C.

¹⁶ Section 1003.41(1) and (2), F.S.

¹⁷ See s. 1003.41(3), F.S.

¹⁸ Office of the Governor, *Executive Order 19-32: Commitment to Eliminating Common Core, Ensuring High-Quality Academic Standards and Raising the Bar for Civic Literacy* (January 31, 2019), https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-32.pdf.

¹⁹ Florida Department of Education, Standards Review, <http://www.fldoe.org/standardsreview/index.stml> (last visited January 30, 2020).

²⁰ *Id.*

²¹ 20 U.S.C. s. 6311(b)(2).

²² 20 U.S.C. s. 6311(b)(2)(C).

Florida's statewide, standardized assessments measure the extent to which students have mastered the NGSSS.²⁴ Florida law and ESSA require that all public school students participate in statewide, standardized ELA and math assessments at least annually beginning in grade 3.²⁵ ESSA requires that students participate in a standardized science assessment at least once in each of grades 3 through 5, 6 through 9, and 10 through 12.²⁶ The requirements for students in Florida are as follows:²⁷

ELA	Math	Science	Social Studies
Grades 3-10: annual participation in the ELA Florida Standards Assessment (FSA)	<ul style="list-style-type: none"> Grades 3-8: annual participation in the math FSA High school: Algebra I and Geometry EOC assessments 	<ul style="list-style-type: none"> Grades 5 and 8: Statewide Science Assessments High school: Biology I EOC assessment 	<ul style="list-style-type: none"> Middle school: Civics EOC assessment High school: U.S. History EOC assessment

Additionally, annual English proficiency assessments must be administered to all ELLs.²⁸ ELLs must be included in the state accountability system; however, ESSA allows:²⁹

- a one-time ELA assessment exemption for ELLs who have entered a U.S. school within the last 12 months; or
- the state to assess recently arrived ELLs in their first year and exclude results, include a measure of their academic growth in their second year, and include their academic proficiency in their third year and thereafter.

A local education agency is authorized under ESSA to administer a locally selected assessment in lieu of the statewide, standardized high school ELA, math, or science assessments.³⁰ However, any such assessment must:³¹

- be approved by the state;
- be nationally recognized;
- be aligned to the state's academic standards;³²
- address the depth and breadth of such standards;
- be equivalent in its content coverage, difficulty, and quality to the state assessments;
- provide comparable, valid, and reliable data on academic achievement, as compared to the state assessment, for all students and for each subgroup of students, with results expressed in terms consistent with the state's academic achievement standards (i.e., Level 1, Level 2, etc.);
- meet the same technical requirements as the state assessments; and
- provide unbiased, rational, and consistent differentiation between schools within the state in order to meet the requirements of the state accountability system.

The Michigan Department of Education (MDE) has received conditional approval from the U.S. Secretary of Education to administer the SAT as its high school ELA and math assessment.³³ The MDE participated in a peer review and submitted evidence to the U.S. Department of Education, which found

²³ 20 U.S.C. s. 6311(b)(2)(B)(vi)(II). Includes students with the most significant cognitive disabilities and students with a disability who are provided under an Act other than the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

²⁴ See s. 1008.22(3), F.S.

²⁵ See s. 1008.22(3)(a); 20 U.S.C. s. 6311(b)(2)(v)(I).

²⁶ See 20 U.S.C. s. 6311(b)(2)(B)(v)(II).

²⁷ See s. 1008.22(3)(a) and (b), F.S.

²⁸ 20 U.S.C. s. 6311(b)(2)(G). Each state must establish standardized entrance and exit procedures for English learners. 20 U.S.C. s. 6821(b)(2)(A). Any student who may be an English learner must be assessed for English learner status within 30 days of enrolling in a school in the state. *Id.*

²⁹ See 20 U.S.C. s. 6311(b)(3).

³⁰ See 20 U.S.C. s. 6311(b)(2)(H).

³¹ 20 U.S.C. s. 6311(b)(2)(H)(i)-(v).

³² See Section 1003.41(1) and (2), F.S. The NGSSS for Florida.

³³ U.S. Department of Education, *Michigan 9: Reading/language arts and mathematics general assessments for high school* (December 30, 2019), <https://www2.ed.gov/admins/lead/account/nclbfinalassess/michigan9.pdf>.

that Michigan's administration of the SAT as its high school ELA and math assessment substantially met the requirements of ESSA. While MDE met more of the requirements related to state administration of the SAT, there are still significant concerns related to test design and alignment with Michigan's academic content standards that have not yet been addressed. The MDE must submit satisfactory evidence to the U.S. Department of Education to address this issue and receive full approval.³⁴

School Grades

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.³⁵ School grades are also used to determine whether a school must select or implement a turnaround option³⁶ or whether a school is eligible for school recognition funds as appropriated by the Legislature.³⁷

The annual reports must identify schools as having one of the following grades:³⁸

- "A," for schools making excellent progress – 62% or higher of total points.
- "B," for schools making above average progress – 54% to 61% of total points.
- "C," for schools making satisfactory progress – 41% to 53% of total points.
- "D," for schools making less than satisfactory progress – 32% to 40% of total points.
- "F," for schools failing to make adequate progress – 31% or less of total points.

School Grades Models							
Basic/Elementary (700 Points)			Middle School (Basic +200 Points)		High School (Basic+300 Points)		
English Language Arts	Mathematics	Science	Civics EOC Assessment	Acceleration Success	U.S. History EOC Assessment	Graduation Rate	Acceleration Success
Achievement (0% to 100%)	Achievement (0% to 100%)	Achievement (0% to 100%)	Achievement (0% to 100%)	Percentage of students who pass high school EOC assessments & industry certifications (0% to 100%)	Achievement (0% to 100%)	Overall, 4-year graduation rate (0% to 100%)	Percent of students eligible to earn college credit through AP, IB, AICE, dual enrollment, or earn industry certification (0% to 100%)
Learning Gains (0% to 100%)	Learning Gains (0% to 100%)						
Learning Gains of Low 25% (0% to 100%)	Learning Gains of Low 25% (0% to 100%)						

³⁴ *Id.*; U.S. Department of Education, *ESEA Waivers*, <https://www2.ed.gov/admins/lead/account/stateplan17/waivers/index.html> (last visited January 29, 2020). The Arizona and Virginia Departments of Education have requested that the U.S. Secretary of Education approve a waiver from the ESSA requirement that high school students in the same grade to take the same statewide, standardized math assessment. These states have requested to administer the SAT or ACT as a locally-selected assessment in lieu of their respective statewide, standardized math assessment. The U.S. Secretary of Education has denied these waivers because evidence has not shown that these assessments meet the assessment requirements under ESSA.

³⁵ Section 1008.34(1), F.S. If there are fewer than 10 eligible students with data for a component, the component is not included in the calculation. Section 1008.34(3)(a), F.S.

³⁶ See s. 1008.33(4), F.S.

³⁷ See s. 1008.26, F.S.

³⁸ Section 1008.34(2), F.S.; Rule 6A-1.09981(4)(d), F.A.C.

Learning gains means the student demonstrates growth in ELA and math from one year to the next for the purposes of calculating school grades.³⁹ Students with 2 consecutive years of valid FSA scores may demonstrate learning gains by:⁴⁰

- increasing at least one Achievement Level⁴¹ on the FSA in the same subject area;
- scoring below Achievement Level 3 on the FSA in the prior year and advancing from one subcategory⁴² within Achievement Level 1 or 2 in the prior year to a higher subcategory in the current year in the same subject area;
- remaining at Achievement Level 3 or 4 on the FSA in the current year and having a scale score that is greater in the current year than in the prior year;⁴³ or
- scoring at Achievement Level 5 in the prior year on the FSA and scoring at the same Achievement Level in the current year in the same subject area.

Improvement of Low Performing Schools

Florida's system of improving low-performing schools is referred to as "differentiated accountability" (DA). Under DA, intervention and support is provided to traditional public schools earning a letter grade of "D," or "F,"⁴⁴ with intensive intervention and support strategies applied to schools that earn two consecutive grades of "D" or a grade of "F" through turnaround option plans.⁴⁵

All Florida public schools that earn grade of "D" or "F" must have a school improvement plan, which is developed and implemented by the school's advisory council.⁴⁶ It is the responsibility of each district school board to approve school improvement plans.⁴⁷

Intervention and Support Strategies

If a school earns two consecutive grades of "D" or a grade of "F," it must immediately implement a differentiated matrix of intervention and support strategies. Districts with a school improvement school must coordinate with DOE, the Regional Executive Director or designee, and the school to identify and implement tailored support and improvement strategies designed to address low performance at the school.⁴⁸

Florida law specifies seven general types of intervention and support strategies for traditional public schools. These strategies include school improvement planning; leadership and educator quality

³⁹ See Section 1008.34(1)(b), F.S.; Rule 6A-1.09981(2)(b), F.A.C.

⁴⁰ Rule 6A-1.09981(2)(b)1.a.-d., F.A.C.

⁴¹ See Section 1008.34(1)(a), F.S. "Achievement level," "student achievement," or "achievement" describes the level of content mastery a student has acquired in a particular subject as measured by a statewide, standardized assessment administered pursuant to s. 1008.22(3)(a) and (b). There are five achievement levels. Level 1 is the lowest achievement level, level 5 is the highest achievement level, and level 3 indicates satisfactory performance. A student passes an assessment if the student achieves a level 3, level 4, or level 5.

⁴² Rule 6A-1.09981(2)(b)1.b., F.A.C. Achievement Level 1 is comprised of three equal subcategories, and Achievement Level 2 is comprised of two equal subcategories. Subcategories are determined by dividing the scale of Achievement Level 1 into three equal parts and dividing the scale of Achievement Level 2 into two equal parts. If the scale range cannot be evenly divided into three equal parts for Achievement Level 1 or into two equal parts for Achievement Level 2, no subcategory may be more than one scale score point larger than the other subcategories; the highest subcategories shall be the smallest.

⁴³ Rule 6A-1.09981(2)(b)1.c., F.A.C. This does not apply to student who scored in a different Achievement Level in the prior year in the same subject area.

⁴⁴ Section 1008.33(3)(b), F.S.

⁴⁵ Section 1008.33(4)(a), F.S.

⁴⁶ Sections 1001.42(18)(a) and 1001.452(2), F.S. School advisory councils (SACs) are composed of principals, teachers, educational support personnel, parents, students, local business representatives, and community members. Section 1001.452(1)(a), F.S. SACs are responsible for developing and implementing the school's improvement plan, assisting in the development of the school's budget, and assisting in determinations regarding the use of school improvement funds and school recognition awards. Sections 1001.452(2) and 1008.36(4), F.S. See also Section 1002.33(9)(n), F.S. Requires a charter school earning a "D" or "F" to submit a school improvement plan to the sponsor.

⁴⁷ Section 1001.42(18), F.S.

⁴⁸ Rule 6A-1.09981(5)(a), F.A.C.

improvement; professional development; curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes.⁴⁹

School Turnaround Options

Schools that earn two consecutive grades of “D” or a grade of “F” must also implement a district-managed turnaround plan through which the school district manages the 2-year turnaround plan at the school.⁵⁰ The school district must submit a district-managed turnaround plan to the SBE for approval by October 1.⁵¹

Once the district-managed turnaround plan is approved by the SBE, the school district must implement the plan for the remainder of the year and continue implementation for the next full school year. If the school’s grade does not improve to a “C” or higher after the additional year (its fourth consecutive grade below a “C”), or after the first full year of implementation if an additional year is not granted, the school must select from the following turnaround options:⁵²

- Reassign students to another school and monitor the progress of each student.
- Close the school and reopen as one or more charter schools with a governing board that has a demonstrated record of effectiveness.
- Contract with an external operator that has a demonstrated record of effectiveness to operate the school.
 - The external operator may include a district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter.

The SBE may allow a school an additional year of implementation before the school must implement a different turnaround option if it determines that the school is likely to improve to a grade of “C” or higher after the first full school year of implementation.⁵³

Based on traditional public schools that received grades in 2018 and 2019:⁵⁴

- 70 percent of schools graded “D” or “F” improved their grade in 2019;
- 77 percent of schools graded “F” in 2018 improved their grade in 2019; and
- 85 percent of first year turnaround schools in 2018 improved their grade to a “C” or higher and exited turnaround in 2019.

Turnaround School Supplemental Services Allocation

The Turnaround School Supplemental Services Allocation (TSSSA) provides funding to schools in, or exiting, turnaround status with funds to offer services designed to improve the overall academic and community welfare of the schools’ students and their families.⁵⁵ Services funded by the TSSSA may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.⁵⁶

⁴⁹ Section 1008.33(3)(c), F.S.; *See* Rule 6A-1.099811(5)(b)1.-9., F.A.C.

⁵⁰ Rule 6A-1.099811(5)(a)-(b), F.A.C.

⁵¹ *Id.*

⁵² Section 1008.33(4)(b)1.-4., F.S.; Rule 6-A 1.099811(6)(b), F.A.C

⁵³ Section 1008.33(4)(a), F.S.

⁵⁴ Florida Department of Education, *School Improvement Presentation to the House PreK-12 Innovation Subcommittee* (October 16, 2019),

[https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3017&Session=2020&DocumentType=Meeting Packets&FileName=pki_10-16-19.pdf](https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3017&Session=2020&DocumentType=Meeting%20Packets&FileName=pki_10-16-19.pdf).

⁵⁵ Section 1011.62(21), F.S.

⁵⁶ Section 1011.62(21)(a)1., F.S.

Before distribution of the TSSSA, the school district must develop and submit a plan for implementation to its school board for approval no later than August 1 of each fiscal year, then submit its approved plan to the commissioner by September 1 of each year.⁵⁷ At a minimum the plan must:⁵⁸

- establish comprehensive support services that develop family and community partnerships;
- establish clearly defined and measurable high academic and character standards;
- increase parental involvement and engagement in the child's education;
- describe how instructional personnel will be identified, recruited, retained, and rewarded;
- provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards;
- provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year; and
- include a strategy for continuing to provide services after the school is no longer in turnaround status by virtue of achieving a grade of "C" or higher.

Subject to legislative appropriation, each school remains eligible for the TSSSA for a maximum of 4 continuous fiscal years while implementing a turnaround option.⁵⁹ In addition, a school that improves to a grade of "C" or higher remains eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.⁶⁰

U.S. Government Course and Civic Literacy

As part of the 24 credits required to graduate from high school, students must earn three credits in social studies.⁶¹ One-half of the three credits must be earned in the U.S. Government course.⁶²

Each student entering a Florida College System (FCS) institution or state university must demonstrate competency in civic literacy through two options: successful completion of a civic literacy course; or by achieving a passing score on an assessment.⁶³

The chairs of the SBE and the Board of Governors (BOG), or their respective designees, must jointly appoint a faculty committee to:⁶⁴

- develop a new course in civic literacy or revise an existing general education core course in American History or American Government to include civic literacy; and
- establish course competencies and identify outcomes that include, at a minimum:
 - an understanding of the basic principles of American democracy and how they are applied in our republican form of government;
 - an understanding of the United States Constitution,
 - knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance; and
 - an understanding of landmark Supreme Court cases and their impact on law and society.

The SBE must adopt in rule and the BOG must adopt in regulation at least one existing assessment that measures competencies consistent with the required course competencies.⁶⁵

⁵⁷ Section 1011.62(21)(b) and (d), F.S.

⁵⁸ Section 1011.62(21)(c)1.-7., F.S.

⁵⁹ Section 1011.62(21)(f), F.S.

⁶⁰ *Id.*

⁶¹ Section 1003.4282(3)(d), F.S.

⁶² *Id.*

⁶³ Section 1007.25(4), F.S.

⁶⁴ Section 1007.25(4)(a)-(b), F.S.

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The Florida Partnership for Minority and Underrepresented Student Achievement

In 2004, the Legislature passed the Florida Partnership for Minority and Underrepresented Student Achievement Act⁶⁶ recognizing the importance of not only access to college but also success in college for all students. The mission of the partnership is to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education through a grant which created the Florida Partnership (FLP).⁶⁷ In support of this legislative act, staff from College Board's Florida office provides professional development and technical assistance to school and district-level administrators, along with guidance counselors, teachers, and other school staff in targeted school districts.⁶⁸

Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, must provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or the PreACT to all enrolled grade 10 students.⁶⁹ Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.⁷⁰

By September 30 of each year, the FLP is required to submit a report to DOE that contains an evaluation of the delivered services and activities on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools.⁷¹ Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in 10th grade PSAT/NMSQT or the PreACT testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.⁷²

Effect of Proposed Changes

Florida's Statewide, Standardized Assessments

The bill requires a student's final report card for a school year to be issued no later than 1 week after the last day of school or 1 week after the receipt of assessment results for students enrolled in courses with an associated statewide, standardized EOC assessment. The bill specifies that a transfer student's⁷³ Algebra I final grade and credit must be honored if his or her transcript shows a credit in Algebra I.

The bill requires DOE to solicit cost proposals for publication of the statewide, standardized science and social studies assessments on its website, in addition to the statewide, standardized ELA and math assessments. The bill revises the date of the initial publication of assessments to no later than June 30, 2024 to correspond with the changes in the proposed assessment schedule.

⁶⁵ Section 1007.25(4), F.S.

⁶⁶ Ch. 2004-63, L.O.F.

⁶⁷ Section 1007.35(2)(b), F.S.; See Florida Department of Education, *Annual Evaluation Report for Florida Partnership 2017-2018* (September 2018), <http://www.fldoe.org/core/fileparse.php/7749/urlt/FloridaPartnership-c.pdf>.

⁶⁸ Florida Department of Education, *Annual Evaluation Report for Florida Partnership 2017-2018* (September 2018), <http://www.fldoe.org/core/fileparse.php/7749/urlt/FloridaPartnership-c.pdf>.

⁶⁹ Section 1007.35(5), F.S. However, a written notice shall be provided to each parent which must include the opportunity to exempt his or her child from taking the PSAT/NMSQT or the PreACT.

⁷⁰ Section 1007.35(5)(a), F.S.

⁷¹ Section 1007.35(8)(a), F.S.

⁷² *Id.*

⁷³ See Section 1003.4282(7), F.S. Applicable to students who transfer to a Florida public high school from out of country, out of state, a private school, or home education program.

In addition to the results of the statewide, standardized ELA and math assessments, the bill requires the results of the statewide, standardized science and social studies assessments to also be reported in an easy-to-read and understandable format and delivered in time to provide useful, actionable information to students, parents, and teachers. The bill requires only the statewide, standardized ELA and math assessments in grades 3 through 6 to be delivered in a paper-based format.

The bill authorizes the commissioner to discontinue the Geometry end-of-course assessment upon approval from the U.S. Secretary of Education for a waiver from the federal high school math testing requirements.

Beginning in the 2020-2021 school year, each school district must choose either the SAT or ACT for districtwide administration to each public school student in grade 11, including students attending public high schools, alternative schools, and centers of the Department of Juvenile Justice.

School Grades

The bill revises the school grades calculation to include the percentage of eligible students passing the ELA portions of the SAT and ACT, and the percentage of eligible students passing the math portions of the SAT and ACT beginning with the 2022-2023 school year. Beginning with the 2020-2021 school year and for purposes of administration of the SAT and ACT, the bill requires the SBE to provide passing scores for purposes of calculating school grades in rule.

Improvement of Low Performing Schools

The bill specifies that a deficient and failing school is a school earning a grade of "D" or "F." The bill revises the schools that the SBE apply intensive intervention and support strategies to schools earning a grade of "D" or "F." In the first full school year after a school initially earns a grade of "D" or "F," the school district must immediately implement intervention and support strategies.

School Turnaround Options

The bill revises school turnaround options by authorizing the commissioner to recommend and the SBE to allow a school district to close a school and reassign students to another school with a school grade of "C" or higher, provide additional services to reassigned students that are designed to address deficiencies and improve performance, and monitor the progress of each reassigned student for 3 school years. The contract with an external operator must allow unilateral cancellation by the school district upon revocation of the turnaround plan.

The bill authorizes a school district to request a new turnaround option during the implementation of a turnaround option. If a school earns a grade of "D" or "F" within 4 years of improving to a grade of "C" or higher, the bill requires the school to select a turnaround option other than district-managed turnaround.

The bill authorizes the SBE to revoke a turnaround plan if a school district fails to follow the terms of its approved plan. Before revoking a turnaround plan, the SBE must consider any curative action taken or proposed by the school district and the feasibility to improve performance under the plan during the remainder of the approval period. Upon revocation of its initial plan, the school district must submit a new turnaround plan or select a new turnaround option.

Turnaround School Supplemental Services Allocation

The bill requires a school district to submit its school board approved implementation plan to the commissioner by September 1 of each fiscal year for final approval by DOE.

The bill revises the school district implementation plan required for distribution of the TSSSA to include at least one contract with a charter school or an external operator to provide services. The plan must also describe how instructional personnel will be identified, recruited, retained, and rewarded using results from the commissioner-approved formulas to measure student learning growth, and using fair and reliable alternative measures of student learning growth or achievement, as appropriate, for instructional personnel teaching assignments that do not include courses associated with the commissioner-approved formal to measure student learning growth.

Additionally, the bill requires a school that improves to a grade of "C" or higher may receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status by demonstrating sustainability of improvement.

U.S. Government Course and Civic Literacy

Beginning in the 2020-2021 school year, the bill requires students in the U.S. Government course to take the civic literacy assessment identified by the SBE.

The bill revises the civic literacy requirement for postsecondary students by requiring students to successfully complete a civic literacy course and achieve a passing score on the civic literacy assessment.

A student who passes the assessment in high school fulfills the civic literacy assessment requirement.

The Florida Partnership for Minority and Underrepresented Student Achievement

To further increase postsecondary access and success for students in low-performing schools, the bill requires the FLP to: provide information on resources and opportunities, such as available financial aid and how to apply for such aid, to help students achieve the necessary means to transition to postsecondary education; and identify public and private partnerships that provide college advising services to assist students in the postsecondary education application process.

Additionally, the bill revises the reporting requirements for the FLP by requiring the number of students who submit at least one postsecondary application and the number of students who submit an application for financial aid to help pay for postsecondary expenses to be included in the annual report.

Other Provisions

Department of Education Property Rights

The bill provides DOE with the authority to hold patents, copyrights, trademarks, and service marks. The bill authorizes DOE to take any action necessary to enforce its rights with respect to such patents, copyrights, trademarks, and service marks or enter into a transaction to sell, lease, license, or transfer such rights for monetary gain, or other license at its discretion. The bill requires DOE to notify the Department of State in writing when it secures property rights by patent, copyright, or trademark. Any proceeds from the exercise of these rights, except for educational materials and products, must be deposited in DOE's Operating Trust Fund.

Instructional Materials

The bill authorizes DOE to establish timeframes for advertisement and submission of bids for the 2020 adoption cycle of instructional materials.

B. SECTION DIRECTORY:

Section 1. Amends s. 1001.23, F.S.; authorizing DOE to hold patents, copyrights, trademarks, and service marks; authorizing the department to take specified actions to enforce its rights under certain

circumstances; and requiring DOE to notify the Department of State under certain circumstances; requiring certain proceeds to be deposited into a specified trust fund.

Section 2. Amends s. 1003.33, F.S.; requiring final report cards to be issued within a specified timeframe.

Section 3. Amends s. 1003.4156, F.S.; conforming provisions to changes made by the act.

Section 4. Amends s. 1003.4282, F.S.; deleting obsolete language; conforming provisions and a cross-reference to changes made by the act; requiring students to take a specified assessment relating to civic literacy; and authorizing such assessments to meet certain requirements under specified circumstances.

Section 5. Amends s. 1003.4285, F.S.; conforming provisions to changes made by the act.

Section 6. Amends s. 1006.33, F.S.; authorizing DOE to establish timeframes for advertisement and submission of bids for the 2020 adoption cycle of instructional materials.

Section 7. Amends s. 1007.25, F.S.; requiring postsecondary students to complete a civic literacy course and pass a specified assessment to demonstrate competency in civic literacy.

Section 8. Amends s. 1007.35, F.S.; requiring the Florida Partnership for Minority and Underrepresented Student Achievement to provide information to help students achieve the necessary means to transition to postsecondary education and identify partnerships to assist in the postsecondary application process; and revising reporting requirements.

Section 9. Amends s. 1008.212, F.S.; conforming cross-references to changes made by the act.

Section 10. Amends s. 1008.22, F.S.; deleting obsolete language; requiring certain statewide, standardized assessments to be administered in a paper-based format; providing for the discontinuation of the geometry EOC assessment; requiring school districts to provide the SAT or ACT to grade 11 students beginning in a specified school year; deleting a requirement that the commissioner maintain a specified item bank; deleting specified requirements for the date of the administration of specified assessments; and deleting a deadline for the publication of certain assessments.

Section 11. Amends s. 1008.25, F.S.; revising which assessments a high school must use to advise students of specified deficiencies.

Section 12. Amends s. 1008.33, F.S.; providing technical changes; requiring DOE to identify certain schools and develop strategies for specified purposes; providing requirements for such strategies; revising requirements for certain intervention and support strategies; providing an exception to specified requirements; providing requirements for the SBE to allow a school an additional year of implementation of a district-managed turnaround plan; revising the requirements for turnaround options for specified schools; revising the criteria for a school to implement such options; revising the components of such turnaround options; authorizing a school district to request a new turnaround option; providing requirements for certain schools that reenter the turnaround system; authorizing the SBE to revoke a turnaround plan under certain circumstances; and providing requirements for such revocation.

Section 13. Amends s. 1008.34, F.S.; revising definitions; revising school grade calculations to include specified assessment results beginning in a specified school year; and conforming a cross-reference to changes made by the act.

Section 14. Amends s. 1008.3415, F.S.; conforming a cross-references to changes made by the act.

Section 15. Amends s. 1011.62, F.S.; revising the purpose of the TSSSA; revising the required contents for a specified plan; and requiring DOE to provide final approval of specified plans.

Section 16. Provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The DOE estimates that it will cost approximately \$8 million to provide the SAT or ACT to all 11th grade students.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.